

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CATAWBA RIVERKEEPER)
FOUNDATION, and CLEAN AIR)
CAROLINA,)

Plaintiffs,)

v.)

JUDGMENT

No. 5:15-CV-29-D

NORTH CAROLINA DEPARTMENT)
OF TRANSPORTATION, EUGENE)
CONTI, *In his official capacity as*)
Secretary of NCDOT, FEDERAL)
HIGHWAY ADMINISTRATION, and)
JOHN F. SULLIVAN, *In his official*)
capacity as Division Administrator of)
FHWA)

Defendants.)

Decision by Court.

This action came before the Honorable James C. Dever III, Chief United States District Judge, for ruling as follows:

IT IS ORDERED, ADJUDGED, AND DECREED that the court GRANTS plaintiffs' motion for summary judgment [D.E. 33] and DENIES defendants' motions for summary judgment [D.E. 38, 39]. The Record of Decision is VACATED. The court DISMISSES as moot plaintiffs' motions to supplement the administrative record [D.E. 40, 52].

This Judgment Filed and Entered on March 13, 2015, and Copies To:

Frank S. Holleman (via CM/ECF Notice of Electronic Filing)
Kimberley Hunter (via CM/ECF Notice of Electronic Filing)
Kathleen W. Asquith (via CM/ECF Notice of Electronic Filing)
Scott T. Slusser (via CM/ECF Notice of Electronic Filing)
Jared S. Pettinato (via CM/ECF Notice of Electronic Filing)

DATE
March 13, 2015

JULIE RICHARDS JOHNSTON, CLERK
/s/ Courtney O'Brien
(By) Courtney O'Brien, Deputy Clerk